IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5639 OF 2004

Jayant Babulal Shah ..Petitioner.

Vs.

Shri Vasupujya Bhagwan Gujarathi
Jain Shwetambar Murtipujak Mandir
Trust, throught its President
& Ors. ..Respondents.

....

Mr.A.Y.Sakhare, Senior Advocate with
Mr.S.S.Aradhye, Monika Khade and Siddharth Karpe
for the Petitioner.
Mr.R.G.Ketkar for Respondent No.1.
Mr.T.S.Ingale for Respondent Nos.2 and 3.
Mrs.M.P.Thakur, APG for Respondent Nos.4 and 5.

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CORAM : F.I.REBELLO, J. AND
DR.D.Y.CHANDRACHUD, J.
1st March, 2006.

P.C. :

To the rejoinder filed by the Petitioner

are annexed notices issued by Respondent No.3 dated 18th February, 2006 and 12/13th January, 2006. In other words, Respondent No.2 has taken steps. In view of that learned counsel states that he does not seek to prosecute the Petition. However, he prays that the contention raised by him be kept open in the event that Respondent No.2 does not proceed with the notices or passes any order adverse to him.

Considering that Respondent No.2 has been issued notices, we direct Respondent Nos.2 and 3 to take steps according to law. With the above observations, reserving the contention urged by the Petitioner, the Petition is disposed of.

(F.I.REBELLO, J.)

(DR.D.Y.CHANDRACHUD, J.)